

UNITED STATES BANKRUPTCY COURT  
District of Maine

IN RE:

RAYMOND GUILBAULT and  
MICHELLE GUILBAULT,

CHAPTER 13  
CASE NO. 07-20985

Debtors

**ORDER CONFIRMING FIRST AMENDED CHAPTER 13 PLAN  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

After notice and hearing on confirmation of the debtors' First Amended Chapter 13 plan, the Court finds that it complies with all provisions of Title 11 and that it is in the best interests of all creditors, the debtor and the estate. It is hereby ORDERED that the debtors' First Amended Chapter 13 plan dated March 17, 2008, as appears on the court docket as Docket Entry #19, is confirmed as filed or modified at the confirmation hearing as set forth below. Terms of the debtors' plan not expressly modified by this order are incorporated herein and made a part hereof by reference. The court retains jurisdiction to make such other and further orders as may be necessary or appropriate to effect the plan and this order.

I. The following modifications to the debtor's plan were ORDERED at the confirmation hearing.

☐ A. The total term of the plan shall be \_\_\_\_\_ months.

☐ B. The debtor's monthly payment shall be \$ \_\_\_\_\_ per month, commencing on [date].

☐ C. The trustee is authorized and directed to make interim distributions to debtors' counsel for attorney's fees, undisputed secured, priority, executory contract and lease creditors as set forth in the plan pursuant to their timely filed claims, subject to trustee's statutory fees (28 U.S.C. § 586). This order does not constitute final confirmation of the plan and is not a determination of any issue other than the authority of the trustee to make such payments.

☐ D. The stipulation between or among the debtors, the trustee and ☐ dated ☐ is approved and incorporated by reference into this order.

☒ E. Other: ***The amount of Debtors' attorney's fees to be paid through the plan shall be \$364.00 and the amount of the administrative reserve shall be \$2,636.00.***

II. It is FURTHER ORDERED as follows:

A. If the plan contemplates litigation or the sale of assets as a source of funding, the debtor shall file any application to employ the necessary professionals within 30 days of the date of this order.

B. As soon as practicable after the claims bar date, but no later than 90 days thereafter, the debtor shall file a motion to allow or disallow claims. The debtor may join that motion with such other motions as may be appropriate.

C. A temporary reduction or suspension of the debtor's payments for up to ten weeks may be granted at the trustee's discretion without further notice or hearing, except that the trustee may not suspend the debtor's obligation to make the portion of any payment administered by the trustee during the plan for long term debt that will survive the debtor's discharge (e.g. mortgage). Any other reduction or suspension of payments may be allowed only after notice and hearing upon motion to the court.

D. Whether or not provided in the debtor's plan, the debtor shall pay to the trustee as additional plan contributions all tax refunds, combined state and federal, in excess of \$1,200 per year per debtor. The debtors shall submit a copy of their federal and state income tax returns to the trustee each year within 14 days of the filing of those returns with the appropriate tax authorities.

E. The trustee is not precluded from raising pre-confirmation defaults in any post-confirmation proceeding.

F. Tax authorities are hereby granted relief from stay for the limited purpose of setting off pre-petition tax refunds against like pre-petition tax indebtedness.

G. All property of the estate, whether in the possession of the trustee or the debtor, remains property of the estate subject to the court's jurisdiction, notwithstanding 11 U.S.C. § 1327(b).

The clerk shall make an appropriate entry on the docket.

Date: April 2, 2008

/s/ James B. Haines, Jr.

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United States Bankruptcy Judge